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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Spear *et al.*

Confirmation No.: 3399

Application No.: 09/924,231

Group Art Unit: 1648

Filed: August 8, 2001

Examiner: Wortman, D.

For: PHARMACEUTICAL COMPOSITIONS  
COMPRISING HERPES VIRUS ENTRY  
RECEPTOR PROTEIN

Attorney Docket No.: 7853-239

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**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.56 AND § 1.97**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the continuing duty of disclosure imposed by 37 C.F.R. § 1.56 and § 1.97 to inform the Patent Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Attorneys for Applicants hereby invite the Examiner's attention to the references AA-AH listed on the attached revised form PTO 1449 entitled "List of References Cited by Applicant." Copies of references AA-AH are enclosed as Exhibits 2-9 to the Declaration of Abbie Celniker under 37 C.F.R. § 1.132 submitted concurrently herewith.

Identification of the listed references is not meant to be construed as an admission of Applicants or Attorneys for Applicants that such references are available as "prior art" against the subject application. Consequently, Applicants respectfully decline to use form PTO-1449, since this form identifies all of the references cited therein as "Prior Art." As an alternative, Applicants submit herewith several pages of a "revised form PTO 1449" entitled "List of References Cited" instead of "List of Prior Art Cited".

Applicants respectfully request that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

Since this Information Disclosure Statement is being filed after the mailing of a first Office Action on the merits, a fee of \$180.00 is believed due. Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed for accounting purposes.

Respectfully submitted,

Date August 5, 2002

Laura A. Coruzzi 30,742  
Laura A. Coruzzi (Reg. No.)

By: Muna Abu-Shaar  
Muna Abu-Shaar  
Limited Recognition Under 37 C.F.R. § 10.9(b)  
Copy of Certificate Enclosed

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Enclosure

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BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE  
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**LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)**

Dr. Abu-Shaar is hereby given limited recognition under 37 CFR § 10.9(b) as an employee of Pennie & Edmonds, LLP to prepare and prosecute patent applications wherein the patent applicant is the client of Pennie & Edmonds, LLP, and the attorney or agent of record in the applications is a registered practitioner who is a member of Pennie & Edmonds, LLP. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Dr. Abu-Shaar ceases to lawfully reside in the United States, (ii) Dr. Abu-Shaar's employment with Pennie & Edmonds, LLP ceases or is terminated, or (iii) Dr. Abu-Shaar ceases to remain or reside in the United States on an H-1B visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

**Expires: June 19, 2003**

  
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